

Minutes: SCCM July 5, 1983


Page 5

Mayor Nielson asked Mr. Green if the City could award the Contract and go over these things and make decisions at a later date.

Mr. Green stated that this would be alright.

Councilman Dafoe made a MOTION to accept the bid of \$645,600. made by Wilford H. Jenson Construction Company, with no alternates proposed by the architect accepted. Council Member Hanson SECONDED the motion, which passed unanimously.

Councilman Dafoe made a MOTION to adjourn. Councilman Bird SECONDED the motion, which passed unanimously. Mayor Nielson adjourned the meeting at 11:55 a.m.

  
Mayor Grant S. Nielson

City Recorder Dorothy Jeffery

#### MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JULY 11, 1983

##### PRESENT:

Grant Nielson	Mayor
Max Bennett	Council Member
Don Bird	Council Member
Don Dafoe	Council Member
Willis Morrison	Council Member
Ruth Hansen	Council Member

##### ABSENT:

None

##### OTHERS PRESENT:

Vance Bishop	City Administrator
Warren Peterson	City Attorney

Minutes: RCCM July 11, 1983

Page 2

Greg Cooper	City Chief of Police
Dorothy Jeffery	City Recorder
Neil Forster	Public Works Superintendent
John Quick	City Engineer
Ralph Stoneking	City Police Officer
Roger Young	City Police Officer
Kim Taylor	City Police Officer
Morris Burton	City Police Officer
Sherri Terrell	City Secretary
Margene Anderson	Fred Anderson
JoAnn Ross	Richard Ross
Gary Nelson	Dallin Gardner
Jim Fletcher	

Mayor Nielson called the meeting to order at 8:01 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days prior to the meeting.

#### MINUTES

The minutes of a regular City Council Meeting held June 29, 1983 were presented and corrected by the Council. Councilman Dafoe made a MOTION and Councilman Morrison SECONDED the motion to accept the minutes as corrected. The motion carried unanimously.

The minutes of a special City Council Meeting held July 5, 1983 were presented and corrected by the Council. Councilman Dafoe made a MOTION to accept the minutes as corrected. Councilman Bird SECONDED the motion, which passed unanimously.

#### AWARD OF BID FOR HUD SIDEWALK PROJECT

Mayor Nielson stated that there had been some conflict as to whether or not the City had given proper notice to the local contractors in the area as to the rescheduled bid opening for the HUD sidewalk project. He stated that after some checking that he is convinced that the local contractors were advised of the rescheduled bid opening date. He asked Mr. Quick, City Engineer, for his opinion.

Mr. Quick stated that he felt that the City gave the local contractors sufficient notification of the bid opening, and they had the opportunity to bid.

Minutes: RCCM July 11, 1983  
Page 3

City Administrator Bishop recommended that the City award the contract now and prevent any further delay of the project.

Councilman Dafoe made a MOTION to award the HUD Sidewalk Contract to Richard Rodrigues' Construction Firm. Council Member Hansen SECONDED the motion, which passed unanimously.

Mr. Quick stated that he had the Notice of Award and could execute contract signing next Monday. That would give Mr. Rodrigues time to have his bonds together.

The Mayor asked the City Attorney if he could review the HUD Sidewalk Contract by Monday.

City Attorney Peterson stated he could review it by then.

SOUTHLAND CORPORATION APPLICATION FOR CLASS A BEER LICENSE FOR A 7-11 STORE

Mayor Nielson stated that Southland Corporation had asked the Council to table their consideration for application for Class A Beer License until a later date.

Councilman Bird made a MOTION to table Southland Corporation's application for a Class A Beer License until August 1, 1983. Councilman Morrison SECONDED the motion, which passed unanimously.

CONTRACT WITH WESTWOOD GARBAGE SERVICE AND MILLARD COUNTY FOR OPERATION AND MAINTENANCE OF THE GARBAGE DUMP

Mayor Nielson asked the City Attorney if he would like to explain the situation to the Council.

City Attorney Peterson stated that he was going to meet with the County Attorney tomorrow to discuss the contract with Westwood Garbage Service and Millard County for operation and maintenance of the garbage dump. He asked that the Council postpone this matter until such time that the contract is prepared.

Council Member Hansen made a MOTION to table item 6, Contract with Westwood Garbage Service and Millard County for operation and maintenance of the garbage dump. Councilman Dafoe SECONDED the motion, which passed unanimously.

Minutes: RCCM July 11, 1983

Page 4

POLICE CHIEF GREG COOPER, DEPARTMENTAL REPORT

Mayor Nielson asked City Police Chief Cooper if he would present his report.

Police Chief Cooper passed out a law enforcement impact graph that showed the crime rate and violations from 1978 through 1982. He explained in detail the rising percentages of the crime rate.

Chief Cooper stated that his department started an IPP Summary Sheet in July. He stated that any crime related to IPP in any way would be recorded on this summary sheet. This will show the impact that IPP is having to our community.

Police Chief Cooper stated that Delta City needs to catch up with the crime rate before it is impossible to keep up. He stated that he thinks Delta City can stay ahead if the following is done:

1. Acquire sufficient man-power to insure public and officer safety
2. Equip and train each officer to insure personal safety and render thorough and professional services to the members of the community.
3. Provide additional opportunities for each officer to enhance and develop expertise.
4. Engage and organize Citizen Participatory Programs through establishing:
  - a. Neighborhood and Crime Watch Program
  - b. Public Safety Committee
  - c. Juvenile Program
  - d. Public Education Program
  - e. School Sponsored Programs
  - f. Life and Property Protection
5. Equip the department to the extent that the department maintains the capacity to effectively, efficiently, and successfully respond and complete any call in our city. Our goals are to attract, employ, and maintain candidates with the following qualifications; experience, training, and P.O.S.T Certification.

Chief Cooper stated that 40 hours of training are required a year to recertify. He suggested that the City make a strong base to attract those who will be of good service and rapport to our City.

Mayor Nielson ask Chief Cooper what the advantages were for

Minutes: RCCM July 11, 1983

Page 5

a former Delta City police officer who took employment else where.

Chief Cooper stated that his financial situation had improved tremendously. His starting salary would be between \$350. and \$400. per month more with a \$100. increase after six months, a cost of living raise every year, and a possible merit increase on his hire anniversary. His benefits start immediately, however, his probation period is nine months.

#### DISCUSSION OF IPP IMPACT ALLEVIATION

Mayor Nielson asked for Councilman Morrison to report on the IPP Impact Alleviation Meeting.

Councilman Morrison stated that IPP feels they have the necessary arguments to implement the use tax. They want these funds credited or used against impact alleviation. They asked that we satisfy the City in operations, maintenance and in capital items, but not to overload the project. IPP wants to pay what the the remaining balance that the use tax doesn't cover on operations, maintenance, and capital items.

Councilman Morrison recommended that Vance Bishop continue to work on the operations and maintenance negotiations, because he is the best qualified and knows the area of the City's finances better than anyone else.

Councilman Morrison recommended that the Council review very carefully the needs that the City will have for the next four years, and what IPP will contribute currently and what they will contribute in the proposed package. He stated that the Council would need to get an idea of what the sales and use tax would be as opposed to impact alleviation funds.

Councilman Bennett stated that the peak of employment at IPP would be 1984-85. Councilman Bennett asked if there were some way to obtain more current population figures.

City Administrator Bishop stated that he would try to acquire a current population report.

Councilman Morrison asked the Council to get their ideas of additions to the capital equipment and project plan to the City Administrator as soon as possible, so he could put a package of proposed capital items together for the negotiating team's review.

Minutes: RCCM July 11, 1983

Page 6

Councilman Morrison stated that it would be beneficial for the department heads and their Council representatives to meet to discuss suggested capital items.

The Mayor asked that the Council Members meet with their department head and turn their suggestions in this week. The negotiating team will then meet to review them on Monday.

Councilman Morrison stated that the City should give IPP a proposal, which would serve as a base to work from. If Mr. Stowell thinks that it warrants a meeting then he could set one up. He stated that no money will be released to the City until an agreement is made.

#### EMPLOYEE EVALUATION

City Administrator Bishop stated that Sherri Terrell's probation period was up. He stated that he had talked with City Recorder Jeffery and both of them recommend to put her on permanent status and pay schedule 7-C, as proposed in the 1983-84 Fiscal Year Budget.

Councilman Dafoe made a MOTION for Sherri Terrell to be placed on pay schedule 7-C on permanent employee status. Councilman Morrison SECONDED the motion, which passed unanimously.

#### OTHER BUSINESS

City Administrator Bishop stated that as part of phase II of the sewer project the City had agreed with Paul Cahoon to put his ditch back in it's original form after they had to disrupt it. He stated that Weaver Construction Company put a ditch in that washed out when the irrigation water came in. City Administrator Bishop asked if the City could reimburse Mr. Canoon for the work he had to hire done on the ditch and hold it out of the bill that the City owes Weaver.

Public works Superintendent Forster explained what had happened. He stated that Weaver had attempted to put the ditch back into shape, but when the irrigation water came in on a Friday Weaver was not in town. Mr. Forster stated that Mr. Canoon had contacted him and told him that the ditch had washed out, and he authorized him to get it fixed.

City Attorney Peterson suggested that someone representing the City and someone representing Weaver Construction Company meet and settle this matter.

Minutes: RCCM July 11, 1983

Page 7

Mayor Nielson asked City Administrator Bishop to set a date and notify Weaver in writing of the meeting. He stated that the City would then have proof that they were aware of the situation and could proceed.

City Attorney Peterson recommended that the letter be mailed with a proof of mailing, and a copy be sent to Paul Cahoon to notify him that the City was attempting to solve the problem.

City Engineer John Quick stated that he would send a letter to Weaver Construction Company since he was the Administrator of the Contract.

City Administrator Bishop stated that Planning and Zoning had met last week and had asked for the City to provide them with an updated zoning map.

City Attorney Peterson suggested that an ordinance be prepared including all of the zone changes necessary to update the zoning map.

City Administrator Bishop stated that the Redevelopment Agency has not met for sometime. He stated that there has been some changes in the law. The agency should have adopted a budget for the next fiscal year, however, the agency has no money therefore a budget hasn't been prepared.

City Administrator Bishop stated that he had acquired legal services of Bill Osborn who looked at the process that Delta went through to set up a Redevelopment Agency and he was not sure that Delta City has a legitimate legal agency.

City Administrator Bishop stated that the law now requires the Agency to incur debt before monies could be collected. He suggested that if the City wants to have an Agency, that a formal meeting be called to go over some of the areas of concern with the City Attorney and the City Recorder.

Councilman Morrison stated that a little advertising to the businesses would show good public relations and good faith.

Councilman Bird stated that it was a good idea when it started, but now with IPP peaking sooner there may not be the need for a Redevelopment Agency that there once was.

Mayor Nielson stated that he felt it would be a good idea for the City Administrator to set up a Public Meeting before August 1. The Council Members agreed.

Minutes: RCCM July 11, 1983

Page 8

City Engineer John Quick stated that he had received a pay request from Ron Johnson Construction Company for work done from May 15, to July 11, in the amount of \$78,043.04. He stated that Ron Johnson Construction Company is 98% completed.

Public Works Superintendent Forster stated that Mr. Johnson had assured him that he or his insurance would take care of the bill at Lovell's Service for \$287.00 for the repair of the Cal Ute Feed Yard's dump truck.

Councilman Bird made a MOTION to pay Ron Johnson Construction Company \$78,043.04. Councilman Dafoe SECONDED the motion, which passed unanimously.

Councilman Bennett stated that an out of town person took the old road from U.S. 6 and 50. He stated that there is a two foot drop off and luckily there wasn't much damage done. Councilman Bennett stated that someone is likely to get hurt unless a barricade is put back up.

Councilman Bird suggested that the City Administrator Bishop send Gene Stuzener, District #5 Engineer for the State Highway Department, a written request to barricade and dig up the old U.S. 6 & 50 road.

Mayor Nielson stated that the contract for U.S. Highway 6 had been awarded to Gibbons and Reid to start Wednesday. He stated that they had encountered a problem with the gravel. There is a mining claim on the land, so they may have to acquire an easement to get the gravel.

Mayor Nielson stated that there would be lower interest money available to the businesses that were hurt in anyway because of flooding.

Mayor Nielson brought it to the Council's attention that M.E.A. Credit Union and Rae's Draperies were working without a City Business License. Rae's Draperies are not zoned for a business so the City couldn't issue them one.

Mayor Nielson stated that a Highway 50 Committee was organized for the purpose of meeting with state and federal officials on issues relating to the highway. He stated that they would like the City to join. Mayor Nielson recommended that the City join. The fee is \$50.00.

Councilman Bennett made a MOTION join the Highway 50 Organization and pay the \$50 fee. Council Bird SECONDED the motion, which passed unanimously.

Minutes: July 11, 1983

Page 9

City Administrator Bishop stated that he had received a letter from the architect recommending the following changes;

1. delete door #165 (Chamber of Commerce) \$ 995.00
2. change window to plastic laminate 1200.00
3. rent propane tanks 2700.00
4. City run sewer and water to 5ft of Building 2733.00
5. change water heater to 50 gal. electric 629.00
6. alternatives 1 add shelving

There was no action taken on this matter.


Mayor Nielson stated that Randy Green, City Architect, had led him astray on the architect fees.

City Administrator Bishop stated that \$7,000.00 of the \$14,200.00 that the City had paid, paid off the old debt. The remaining was applied to the new design. He stated that they needed to deduct \$7200.00 from what Mr. Green quoted us.

Mayor Nielson stated that Newel Knight had asked him to remind the Council of the hospital meeting Thursday and if the Council had any concerns to please contact him.

Mayor Nielson stated that it was rumored that the Hospital had not asked for the County Attorneys opinion. He stated that this had better be checked on.

Councilman Bennett made a MOTION to adjourn. Councilman Morrison SECONDED the motion, which passed unanimously. The Mayor adjourned the meeting at 11:12 p.m.

  
Mayor Grant S. Nielson

City Recorder Dorothy Jeffery